

REMARKS

In the Office Action mailed August 6, 2009, the Examiner has required species elections. In particular, the Examiner has required that Applicants elect a single species from each of the following:

1. A method as follows: a) a method comprising steps a and b using a single reporter protein (claims 55-58, 61-101); or b) a method comprising steps a through d using first and second reporter proteins (claims 59, 60, 103-111).
2. A reagent as follows: a) a cell (claims 55, 57, 59); or b) a lysate/cell extract (claims 56, 58, 60).
3. A Her-2 3' UTR sequence as follows: a) SEQ ID NO:3 (claims 82, 83, 101, 102); or b) SEQ ID NO: 4 (claims 82, 83, 101, 102).

In response, Applicants hereby elect the following species:

1. A method comprising steps a and b using a single reporter protein.
2. A cell.
3. SEQ ID NO: 4.

Applicants believe that claims 55, 57, 61, 63, 65, 67, 69, 71-74, 78, 80, 82, 84, 86, 88, 90-93, 97, 99, and 101 read on the elected species.

Applicants respectfully request consideration of the remarks made herein and entry of them into the file history of the present application.

Respectfully submitted,

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